WP(C) 927/2005

BEFORE

THE HON’BLE MR. JUSTICE HRISHIKESH ROY

Heard Mr. A.J. Das, learned counsel appearing for the petitioner . Also Mr. M.K. Misra, learned Standing Counsel, Education Department.

The grievances of the writ petitioner is the non payment of the arrear salary payable to him as per the UGC revised scale of pay for the period from 01.01.1996 to 31.07.1999. The petitioner retired as the Head of the Departm ent of Assamese of Devicharan Barua Girls’ College, Jorhat.

Mr. Misra, learned Standing Counsel for the Education Department submits that some payments have already been made to the writ petitioner and th e arrear pay for the period from 01.01.1996 to 31.07.1999 would also be released , subject to availability of fund.

It appears from the counter affidavit filed on behalf of the Dep artment that there is no denial of the due to the writ petitioner. But it appear s that the said arrear salary has not been paid to the petitioner for lack of ne cessary funds and will be paid as soon as funds are made available.

The counsel for the writ petitioner submits that the writ petiti oner has already retired from service on 31.02.2002 and non-receipt of his entit led salary has resulted in serious hardship to the writ petitioner.

Considering the matter in its entirety, I am of the view that th is writ petition can be disposed of by directing the respondent authorities to m ake necessary arrangement to pay the arrear salaries due to the petitioner and s uch payment should be made within a period of three months from the date of rece ipt of the certified copy of this order.

For the aforesaid purpose, the petitioner is to draw the attenti on of the respondent authorities for compliance of this Court’s order, by furnis hing the certified copy of this order passed by the Court.

With the aforesaid direction the writ petition is allowed.